

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7642 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

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AHMEDABAD MUNICIPAL TRANSPORT SERVICE

Versus

FAKRUDDIN KAMRUDDIN C/O. AMTS GENERAL MAZDOOR UNION

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Appearance:

MR HS MUNSHAW for Petitioner

MR RV DESAI for Respondent

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CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 08/12/1999

ORAL JUDGEMENT

Heard the learned counsel for the parties. In the Departmental Proceedings, the respondent -driver was awarded the penalty of stoppage of three increments with permanent effect. The Labour Court has allowed the reference and set aside the punishment. Having heard submissions made by learned advocates for the parties, I am of the opinion that in the facts and circumstances of the case, some punishment is called for and punishment of

stoppage of one increment with future effect is imposed. Award of the Labour Court shall stand modified accordingly. The petitioner Corporation is directed to comply with the rest of the award within six weeks from today. Rule made absolute to the aforesaid extent. No order as to costs.

Date: 8/12/1999. -----

(ccshah)